

SCOTTSDALE

# CITY COUNCIL MEETING

## MEETING NOTICE AND AGENDA



### COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Tony Nelssen

Tuesday, January 22, 2008

**5:00 P.M.**

### CITY COUNCIL MEETING

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Roll Call**

**Pledge of Allegiance**

**Invocation**

**Presentations/Information Updates**

### Public Comment

Citizens may complete one Request to Speak "Public Comment" card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during "Public Comment" time.**

## CONSENT AGENDA

**ITEMS 1-16**

**How the Consent Agenda Works:** The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Request to Speak card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.



**PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).**

## CONSENT AGENDA

Tuesday, January 22, 2008  
Page 2 of 7

1. **[Goldie's Agent Change \(Restaurant\) Liquor License](#)**  
**Request:** Consider forwarding a recommendation on Application No. 112-LL-2007 to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing series 12 (restaurant) liquor license.  
**Location:** 10135 E. Via Linda, Suite E-123  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Connie Padian, Chief Planning and Administration Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)
2. **[Continental Golf Course \(Restaurant\) Liquor License](#)**  
**Request:** Consider forwarding a recommendation on Application No. 113-LL-2007 to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) liquor license at an existing location.  
**Location:** 7920 E. Osborn Road  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Connie Padian, Chief Planning and Administration Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)
3. **[Continental Golf Course \(Beer and Wine Bar\) Liquor License](#)**  
**Request:** Consider forwarding a recommendation on Application No. 114-LL-2007 to the Arizona Department of Liquor Licenses and Control for a person transfer of a series 7 (beer and wine bar) liquor license.  
**Location:** 7920 E. Osborn Road  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Connie Padian, Chief Planning and Administration Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)
4. **[Arcadia Fine Wine \(Beer and Wine Store\) Liquor License](#)**  
**Request:** Consider forwarding a recommendation on Application No. 115-LL-2007 to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine store) liquor license for a new license at a new location.  
**Location:** 4747 N. Scottsdale Road, Suite C1007  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Connie Padian, Chief Planning and Administration Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)
5. **[Gianfranco Ristorante Permanent Extension of Premises](#)**  
**Request:** Consider forwarding a recommendation on Application No. 54-EX-2007 to the Arizona Department of Liquor License and Control for a permanent extension of premises for Gianfranco Ristorante.  
**Location:** 10434 E. Jomax Road  
**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Connie Padian, Chief Planning and Administration Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

## CONSENT AGENDA

Tuesday, January 22, 2008  
Page 3 of 7

### 6. [Croghan Abandonment \(12-AB-2006\)](#)

**Requests:**

1. Re-approval of expired abandonment resolution.
2. Adopt **Resolution No. 7451** vacating and abandoning public rights-of-way.

**Related Policies, References:** General Plan, Master Circulation Plan and Land Division (49-LS-1999)

**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Lusia Galav, Current Planning Director, 480-312-2506, [lgalav@scottsdaleaz.gov](mailto:lgalav@scottsdaleaz.gov)

### 7. [Arcadia Country Mart Water Line Reimbursement and Sewer Oversizing Agreements](#)

**Requests:**

1. Adopt **Resolution No. 7465** authorizing the Mayor to execute Agreement No. 2008-009-COS, a water line reimbursement agreement with Onyx Ventures LLC, and authorizing payment of \$104,632 for City participation in the construction of a 16-inch water line at the Arcadia Country Mart.
2. Adopt **Resolution No. 7466** authorizing the Mayor to execute Agreement No. 2008-010-COS, a sewer oversizing agreement with Onyx Ventures LLC, and authorizing payment of \$77,761 to correct existing sewer line slope deficiencies and oversizing from 10-inch to 15-inch pipe at the Arcadia Country Mart.

**Location:** Northeast corner of Camelback and Scottsdale Roads

**Related Policies, References:**

- Section 34-201, Arizona Revised Statutes
- Section 49-220, Scottsdale Revised Code
- Wastewater System Master Plan (September 2001)
- Downtown Scottsdale Water Infrastructure Revitalization Plan

**Staff Contact(s):** Marshall Brown, Acting Water Resources General Manager, 480-312-5683, [mbrown@scottsdaleaz.gov](mailto:mbrown@scottsdaleaz.gov); Roger Klingler, Assistant City Manager, 480-312-5830, [rklingler@scottsdaleaz.gov](mailto:rklingler@scottsdaleaz.gov)

### 8. [Request for Federal Funding From the Maricopa HOME Consortium for Construction of Homeownership Units](#)

**Request:** Adopt **Resolution No. 7444** which supports an application for federal HOME funds by Community Services of Arizona (CSA), an Arizona non-profit corporation, to the Maricopa HOME Consortium for the construction of homeownership units in the City.

**Related Policies, References:** City Council adopted Resolution No. 6675 on June 7, 2005, which authorized Intergovernmental Agreement No. 2005-002A-COS to continue participation in the Maricopa HOME Consortium.

**Staff Contact(s):** Debra Baird, Community Services General Manager, 480-312-2480, [dbaird@scottsdaleaz.gov](mailto:dbaird@scottsdaleaz.gov)

[CLICK HERE TO SUBMIT A COMMENT ON AN ITEM](#)

# CONSENT AGENDA

Tuesday, January 22, 2008

Page 5 of 7

14. [Construction Phase Services Contract for Construction of Phase I for the Villa Monterey Open Space Park](#)

**Request:** Adopt **Resolution No. 7460** authorizing Construction Manager at Risk (CM@Risk) Construction Services Contract No. 2008-005-COS with Low Mountain Construction, Inc., for Phase I construction of the Villa Monterey Open Space Park at a guaranteed maximum price of \$403,658.

**Related Policies, References:**

- On January 16, 2007, the Council approved the Engineering Services Contract for the design of the Villa Monterey Open Space Park with Logan Simpson Design in the amount of \$225,000.
- On October 2, 2007, the Council approved the CM@Risk Design Phase Services Contract with Low Mountain Construction in the amount of \$25,842.

**Staff Contact(s):** Dan Worth, Municipal Services General Manager, 480-312-2776, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

15. [Engineering Services Contract for the Design of Upgrades to the Gainey Ranch Water Reclamation Facility](#)

**Request:** Adopt **Resolution No. 7439** authorizing Engineering Services Contract No. 2007-210-COS with Valentine Environmental Engineers, LLC, in the amount of \$758,096 for the design of upgrades to the Gainey Ranch Water Reclamation Facility.

**Related Policies, References:**

- 2007 Wastewater Master Plan
- June 2007, Gainey Ranch Reclamation Plant Assessment, Carollo Engineers

**Staff Contact(s):** Dan Worth, Municipal Services General Manager, 480-312-2776, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

16. [Construction Services Contract for Booster Pump Station No. 179](#)

**Request:** Adopt **Resolution No. 7440** authorizing CM@Risk Construction Services Contract No. 2007-211-COS with MGC Contractors, Inc., in the amount of \$4,292,866 for Downtown Booster Pump Station No. 179.

**Related Policies, References:**

- On April 5, 2004, Council authorized Engineering Services Contract Modification No. 2002-030A-COS with CSA Engineering, Inc., for the design of various waterline replacement projects for the year 2004, including an infrastructure revitalization study of the downtown water system north of Indian School Road.
- On February 8, 2005, Council authorized Engineering Services Contract No. 2005-012-COS with CSA Engineering, Inc., for the design of water transmission mains in the downtown water system area as recommended by the revitalization study.
- On July 7, 2005, Council authorized CM@Risk Contract No. 2005-106-COS with Achen Gardner, LLC, for the construction of the water transmission improvements recommended by the revitalization study.
- On July 11, 2006, Council reviewed various water booster pump station locations and approved siting the station on a City-owned property located on the southeast corner of Marshall Way and Indian School Road. Council adopted Resolution No. 6953 authorizing amendment of Engineering Services Contract No. 2005-012-COS with CSA Engineering, Inc., for the design of a downtown booster pump station and associated improvements at this location.
- On March 20, 2007, Council awarded CM@Risk Design Phase Services Contract No. 2007-036-COS with MGC Contractors, Inc., for Downtown Booster Pump Station No. 179.

**Staff Contact(s):** Dan Worth, Municipal Services General Manager, 480-312-2776, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

## **Boards, Commissions, and Task Force Nominations**

**How the Board and Commission Nomination Process Works:** The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select several nominees for further consideration. While welcome to attend, applicants will be contacted if nominated and do not need to be present at the meeting to be considered for nomination.

### **17. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for February 12, 2008)**

Housing Board (1)  
Human Relations Commission (2)  
Industrial Development Authority (2)  
McDowell Sonoran Preserve Commission (5)  
Scottsdale Pride Commission (2)  
Transportation Commission (2)

## **City Manager's Report**

## **Mayor and Council Items**

## **Adjourn the Special City Council Meeting and Convene:**

- **Waterfront Commercial Community Facilities District Board of Directors (Agenda Attached)**

**NOTICE OF PUBLIC MEETING OF THE  
BOARD OF DIRECTORS OF  
WATERFRONT COMMERCIAL  
COMMUNITY FACILITIES DISTRICT  
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Waterfront Commercial Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, January 22, 2008, at 5:00 p.m. immediately following the meeting of the Scottsdale City Council in the City Council Chambers of the City of Scottsdale, Arizona, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

[The agenda for the meeting is as follows:](#)

1. Call to Order
2. Approval of Minutes of Tuesday, June 5, 2007
3. Adopt Resolution No. 8, which enters a record of the recent bond transaction into the minutes of the District and removes erratum in Resolution No. 5 that authorized the bond transaction.
4. Adjournment